REMARKS

These remarks are being submitted in response to the Office Action mailed in this application on October 6, 2006. Claims 1-3, 5, 7, 8, 10, 11, 14, 19 and 20 remain pending in this application. Reconsideration of this application is respectfully requested.

Claims 1-3, 5, 7, 8, 10,11, 14, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6494852 (Barak, et al.) in view of U.S. Patent No. 6589194 (Calderon, et al.). Applicants respectfully traverse this rejection.

Barak, et al. is directed to a device in which the thickness of the sleeve is reduced by providing interconnected compartments within each cell. The approach Barak, et al. have taken to making the device portable is to focus on reducing the thickness of the sleeve so that a reduced volume of air is needed to apply a suitable pressure to the limb. Barak, et al. have not been concerned with reducing the number of cells by identifying which cells are instrumental to the operation of the device. Moreover, the device of Barak, et al. includes one or more cells applied to the thigh. Applicants' claimed invention focuses on providing cells below the knee of the patient in order to provide effective treatment to the patient. Barak, et al. suggests that the number of cells can vary but says nothing concerning the positions of those cells. Barak, et al. presents the device as including a thigh cuff. (See, for example, Figs. 1 and 2.) Given that Barak, et al. is concerned with making the device portable, and this is done by reducing the thickness of the sleeve so that a reduced volume of air is needed to apply pressure, it follows that if Barak, et al. believed the device would be effective without the presence of a thigh cuff, it would have been eliminated. It is not. Thus, from reading Barak, et al., one of ordinary skill in the art would believe that it is essential to pressurize the thigh in order to obtain benefit from that device. If Barak, et al. would have believed otherwise, the device would have ended below the knee.

It is asserted in the action that Barak, et al. teaches that the number of cells in the sleeve can vary according to the desired treatment. However, Barak, et al. does not teach that the sleeve need not encompass the thigh. In other words, it would be possible to reduce the number of cells in the sleeve while still covering the thigh.

Further, it would not be obvious to one of ordinary skill to combine the teachings of Calderon, et al. with those of Barak, et al. since Barak, et al. presents the thigh cell as essential. There is no motivation in Barak, et al. to make the omission suggested in the action. Calderon, et al. discloses a different type of device from that claimed by applicants at least in that in Calderon, et al., pressure in the device is not generated by a controller but is generated by the movement of the

patient. Calderon, et al. is not sufficiently close to the device presently claimed by applicants to motivate one of ordinary skill to make the changes to Barak, et al. as suggested in the action.

At least for these reasons, Applicants request that this rejection be withdrawn.

In view of the foregoing, reconsideration of the application, and allowance of the application with claims 1-3, 5, 7, 8, 10, 11, 14, 19 and 20, are all respectfully requested.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
100 Headquarters Park Drive
Skillman, NJ 08558
(908) 904-2372
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/JMK/
John M. Kilcoyne
Attorney for Applicants
Reg. No. 33,100